

# DELAWARE STATE BOARD OF EDUCATION

## Meeting Minutes DRAFT

Carrcroft Elementary School  
503 Crest Road, Wilmington, DE 19803

April 18, 2019  
5:00 P.M.

**Members Present:** Nina Lou Bunting, Vincent Lofink, Dr. Audrey Noble, Wali Rushdan II, Whitney Sweeney

**Members Absent:** Candice Fifer

**Others Present:** Rae Mims, Deputy Attorney General, representing the SBE; Jenna Ahner, SBE Executive Director; Dawn McHugh, SBE Administrative Assistant; Leroy Travers, DOE; Emily Cunningham, DOE; Luke Rhine, DOE; Lourdes Puig, LAAA; Greg Panchisin, LAAA; Brian Bell, LAAA; Kim Whyte, LAAA; Margie Lopez Waite, LAAA; Debbie Panchisin, DCSN; Jason Heller, Brandywine School Board; John Skrobot, BSD; Kendall Massett, DCSN; Karen Gordon, Brandywine School Board; Shannon Holston, DDOE; Michael Saylor, DDOE; Rev. Provey Powell, Jr.; Beth Anne Gluck, LAAA; Chuck Longfellow, DOE; Donald Patton, CSD/LAAA; Alison Dankel, LAAA; Lincoln Hohler, Brandywine School District; and Mark Holodick, Brandywine School District.

### I. Opening

- A. Call to Order: Ms. Sweeney called the meeting to order at 5:05p.m.
- B. Roll Call

Ms. McHugh conducted roll call for the meeting with five members present (Bunting, Lofink, Noble, Rushdan, Sweeney).

- C. Approval of Agenda

A motion was made by Mr. Lofink and seconded by Dr. Noble to approve the April 18, 2019 agenda as presented. ***The motion carried*** (5 Yes to 0 No – Bunting, Lofink, Noble, Rushdan, and Sweeney).

- D. Approval of Regular Meeting Minutes for March 21, 2019

A motion was made by Mr. Rushdan and seconded by Mr. Lofink to approve the March 21, 2019 minutes as presented. ***The motion carried*** (4 Yes to 0 No, with 1 Abstention-Lofink, Noble, Rushdan, and Sweeney; Ms. Bunting abstained).

### II. State Board Business

- A. Committee Reports

Board members provided updates on recent Board business and committee participation. Ms. Sweeney provided an update on work underway with the P-20 Council and her recent participation in the Education Forum. Mr. Rushdan provided information on his recent

participation in a panel with the Marshall-Brennan Fellowship Program and his attendance at the public hearing for Las Americas ASPIRA Academy. Dr. Noble provided an update on the P-20 Council Literacy subcommittee and her recent participation in the NGA/CCSSO and NASBE events focused on early childhood education. Mrs. Bunting provided information on her attendance at the Indian River Board of Education Meeting.

**B. Executive Director's Report**

Ms. Ahner provided an update on recent activities in her office.

**III. Secretary's Report**

Dr. Susan Bunting provided her report, highlighting the Department's work and visits within the last month.

**IV. Presentations**

**A. Brandywine School District Spotlight (For Information)**

Dr. Mark Holodick, Superintendent, Brandywine School District, shared a video on women in engineering pathways created by Brandywine School District students. Dr. Holodick also provided a presentation on Creating Conditions for Safety & Success in the Brandywine School District. Dr. Holodick reviewed the two-pronged approach of physical safety and security and healthy learning environments. Dr. Holodick reviewed actions taken to address physical safety and security, including facility upgrades, constables, staff training, and technology updates. He also reviewed actions related to healthy learning environments, including school climate and culture, Sandy Hook Promise, and mindfulness training and programs.

The Board commented that they are encouraged by the work underway in the district. The Board asked whether the programs track key words in district-provided email. They also asked how this could be scaled to other districts and charters and how this information could be shared.

**B. Delaware Perkins V Transition Plan (For Action)**

Ms. Sweeney shared that the State Board of Education is the eligible agency for the state's Perkins Plan. She shared that the Board discussed the draft Perkins Transition Plan at the March meeting and that the plan had been posted for public comment following the meeting.

Mr. Rhine, Director Career & Technical Education and STEM Initiatives, Department of Education, shared that the draft Transition Plan was sent to the Governor's Office and posted for public comment on March 22. The Board received public comment regarding five topics. Mr. Rhine summarized the public comments that were received and the recommended path forward for each item.

The Board asked Mr. Rhine to clarify the public comment received regarding adult education programs and Delaware Technical Community College. The Board asked questions regarding how programs become Pell-eligible.

A motion was made by Mr. Lofink and seconded by Mr. Rushdan to approve the Perkins V Transition Plan as presented. *The motion carried* (5 Yes to 0 No – Bunting, Lofink, Noble, Rushdan, and Sweeney).

**C. Delaware Professional Standards for Educational Leadership (For Information)**

Dr. Michael Saylor, Educator Effectiveness, Department of Education, provided an overview of revisions to the DPAS II for administrators. Dr. Saylor provided an overview of PSEL standards

and Delaware's process for adopting the standards. He provided information regarding the guiding committee and the feedback phase and timeline. Dr. Saylor provided information regarding on-going supports and trainings. He reviewed a sample rubric and information regarding performance levels. Updates to regulation 108A will come before the Board for approval at a future meeting.

The Board asked questions regarding how the trainings are delivered and the location for their delivery. The Board also discussed a national survey that indicated that twenty percent of elementary school principals were comfortable in their knowledge of child development. The Board asked how the evaluation can help capture information like this and provide education and professional development to help address.

Dr. Saylor indicated that he is working with Kim Krzanowski, Office of Early Learning, to showcase best practices related to early learning. The Board is interested in receiving an update regarding this topic at a future meeting.

## **V. Charter Schools**

### **A. Las Americas ASPIRA Academy Major Modification (For Action)**

Mr. Leroy Travers, Charter School Office, Department of Education, presented the major modification information for Las Americas ASPIRA Academy. Mr. Travers shared that the Charter School Accountability Committee (CSAC) recommended approval of the major modification application. Mr. Travers shared that a Letter of Intent between ASPIRA and a potential property owner was shared after CSAC's final meeting. This information was considered in the Secretary's decision.

Dr. Susan Bunting reviewed the record and accepted the recommendation of CSAC to approve the major modification with the following additional condition:

1. The final lease agreement will include a contingency that allows Las Americas ASPIRA Academy and the property owner to re-negotiate the lease in good faith should the school's enrollment not materialize at the projected rate.

Dr. Susan Bunting asked the State Board to assent to the charter modification subject to the condition imposed.

The Board asked Dr. Longfellow, Associate Secretary, Department of Education and Chair of CSAC, to join Mr. Travers to answer questions.

The Board asked Dr. Longfellow whether the Letter of Intent resolved the concerns that he raised during the CSAC process. Dr. Longfellow shared that the Letter of Intent cannot be made public but that the document received addresses his concerns.

The Board expressed concerns regarding the school's ability to meet enrollment targets, citing historical enrollment and projection numbers in the record. The Board discussed the difficulty in attracting students at older grade levels. The Board discussed the unique culture of school and the opportunities and challenges on recruitment for students at the high school level. Mr. Travers shared the anticipated enrollment at ASPIRA's middle school for next school year.

The Board asked if the Letter of Intent is for the school's first choice location. Mr. Travers confirmed that it is.

The Board asked whether the condition will have an unintended negative consequence on the school's ability to sign the lease. There was a concern that the landlord will not be open to adding this condition. The Board requested the Letter of Intent for review, sharing that review of the Letter may help them feel more comfortable in recommending a path forward.

The Board commented on the unique educational program of the school and the partnerships that the school has built over time. The Board recognized the strong family community that has been built.

The Board discussed a statement in the record that indicated that a school could still add 9<sup>th</sup> grade in 2021 if it were approved next year as opposed to this year. The Board discussed whether a one year delay could be detrimental to the school.

The Board discussed Dr. Longfellow's comment in the final CSAC report, stating that he did not feel that it was economically viable for the school to move forward. The Board asked Dr. Longfellow if the information in the lease changed his view. Dr. Longfellow shared that with the lease information and the added condition he believes ASPIRA will be economically viable if it meet its enrollment targets. The Board discussed the importance of considering enrollment and financial information together.

The Board discussed the school's financial management and financial practices as outlined in the record. The Board discussed the school's ratings on the Financial Framework. The Board acknowledged that schools who own their property or buildings may be at a disadvantage in the current financial framework. The Board would like to discuss updates to the Framework in the future.

The Board discussed the school's achievement at the elementary and middle school levels. They discussed the desire for CSAC to visit schools as a part of the major modification and renewal process in the future.

The Board acknowledged the significant amount of work put forward by the applicant, Charter School Office, and Charter School Accountability Committee. Members expressed the desire to consider the information presented to make sure the decision is not rushed. The Board discussed any potential negative impact if the decision was delayed until May.

The Board discussed whether there was enough information in the record to make the decision and if there is any additional information that could inform the decision or next steps. The Board reiterated the need to base the decision on information provided in the record.

A motion to table Las Americas ASPIRA Academy Major Modification was made by Dr. Noble and seconded by Mr. Lofink. ***The motion carried*** (4 Yes to 1 No – Yes- Bunting, Lofink, Noble, and Sweeney – No-Rushdan).

#### B. Monthly Charter School Update

Mr. Travers provided an update on the work of his office.

The Charter School Office has received an advisory opinion from the Public Integrity Commission regarding the request from the Department of Education and Odyssey Charter School. At the current time that opinion is considered confidential. The Charter School Office has requested, that by May 1 Odyssey Charter School design and submit a plan to address its bylaws and/or policies to ensure the following:

- The board makeup will eliminate any potential conflicts of interest or conflict of public duty;
- That there are internal controls in place to prevent financial interest in private enterprises;
- That there is no suspicion that the public trust is being violated.

The Board discussed questions and comments received from legislators and the public. They asked the Department to provide a more detailed update at the May Board meeting.

Mr. Travers provided an update on charter school enrollment. He reviewed the overall enrollment numbers with information regarding schools that did not meet requirements by the April 1 deadline. Mr. Travers shared additional information on Design Thinking Academy. Design Thinking Academy is currently below its enrollment target. The Charter School office requested a plan from the school to meet its target enrollment by May 1. The school responded with a plan that included weekly recruiting events in the community efforts to reach out individually to families that have been invited but have not accepted, and a social media marketing campaign. To date, its enrollment has not increased. If Design Thinking Academy do not meet its goal by May 1, the school could face formal review. An update will be provided to the Board at the May meeting.

The Board asked for an update regarding enrollment of Great Oaks Charter School and First State Military Academy. Both schools have met their enrolment targets.

Mr. Travers shared information regarding a recent visit to Positive Outcomes Charter School. The Board discussed the desire to work with the Charter School Office to visit charter schools.

## VI. Regulations

### A. Department of Education Regulations for Discussion and Action

1. Regulation 910 – Delaware Requirements for Issuance of the Secondary Credential (For Action)

Emily Cunningham, Chief of Staff/Policy Advisor, Department of Education, provided an overview of the regulation.

A motion was made by Mr. Rushdan and seconded by Mr. Lofink to approve Regulation 910-Delaware Requirements for Issuance of the Secondary Credential as presented. ***The motion carried*** (5 Yes to 0 No – Bunting, Lofink, Noble, Rushdan, and Sweeney).

2. Regulation 108A – Administrator Appraisal Process Delaware Performance Appraisal System (DPASII) (For Information)

Ms. Sweeney provided information regarding regulation 108A, which is currently posted for public comment.

3. Regulation 292- Post Secondary Institutions and Degree Granting Institutions of Higher Education (For Information)

Ms. Sweeney provided information regarding regulation 292, which is currently posted for public comment.

### B. DIAA Regulations for Discussion or Action

1. Regulation 1008-DIAA Junior High and Middle School Interscholastic Athletics (For Information)

Ms. Sweeney provided information regarding regulation 1008, which is currently posted for public comment.

2. Regulation 1009-DIAA High School Interscholastic Athletics (For Information)

Ms. Sweeney provided information regarding regulation 1009, which is currently posted for public comment.

C. Public Comment on Regulations

1. No public comments were received.

**VII. Other**

A. Request for Forgiveness of Days/Hours (For Action)

Dr. Susan Bunting read a request for forgiveness of missed days from the Laurel School District. The school was closed on April 15<sup>th</sup> and 16<sup>th</sup> due to the EF2 tornado which struck Laurel. She accepted the request and is seeking Board approval.

The Board referenced the significant discussion regarding this topic in 2018. They acknowledged that this is a significant exception but recommend that schools plan additional hours or days into their calendar in the future.

A motion was made by Mrs. Bunting and seconded by Dr. Noble to approve the Request for Forgiveness of Days/Hours as presented. ***The motion carried*** (5 Yes to 0 No – Bunting, Lofink, Noble, Rushdan, and Sweeney).

**VIII. Formal Public Comment**

No Public comments were received.

**IX. Adjournment**

A motion to adjourn was made by Mrs. Bunting and seconded by Mr. Lofink. ***The motion carried*** (5 Yes to 0 No – Bunting, Lofink, Noble, Rushdan, and Sweeney).

The meeting adjourned at 7:46p.m.

Respectfully Submitted,

Susan S. Bunting, Ed.D.  
Executive Secretary and  
Secretary of Education